

## **REMARKS**

In the present application, claims 1-16 and 19-25 are pending. Claims 1-15, 19, 20, 21, 23 and 24 were rejected. Claims 16, 22 and 25 were objected to. Claims 1-15, 19-21, 23, and 24 are cancelled herein. Claims 16, 22 and 25 are believed to be in condition for allowance.

### **Claim Rejections - 35 USC §101**

The Examiner rejected claims 1-12 as being directed to non-statutory matter. All of claims 1-12 are cancelled herein and, hence, the grounds for rejection is rendered moot.

### **Claim Rejections - 35 USC §103(a)**

The Examiner rejected claims 13, 14, 19, 20, 23, and 24 as being unpatentable over Barton (6,654,431) in view of Schill (EP 1 324 558 A1) and in further view of Walker et al. (2003/0076889). All of claims 13, 14, 19, 20, 23, and 24 are cancelled herein and, hence, the grounds for rejection is rendered moot.

The Examiner rejected claim 15 as being unpatentable over Barton et al. in view of Schill, in further view of Walker et al. and in further view of Chiasson et al. (5,608,763). Claim 15 is cancelled herein and, hence, the ground for rejection is rendered moot.

The Examiner rejected claim 21 as being unpatentable over Barton et al. in view of Schill, in further view of Walker et al. and in further view of Noonan et al. (6,049,574). Claim 21 is cancelled herein and, hence, the ground for rejection is rendered moot.

### **Allowable Subject Matter**

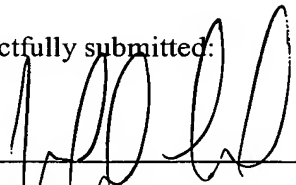
The Examiner objected to claims 16, 22, and 25 as being dependent upon a rejected base claim, but stated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 16, 22 and 25 have been so amended and are now in condition for allowance. In addition, in a telephone

S.N.: 10/699,386  
Art Unit: 2611

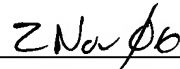
conversation with the Examiner, the Examiner requested that a definition of  $E_{\bar{H}_i}$  and  $\sigma_E$  be added to claims 16 and 25. This has been done.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated. It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Respectfully submitted:

  
\_\_\_\_\_  
Jeffrey R. Ambroziak

Reg. No.: 47,387

  
\_\_\_\_\_  
Date

Customer No.: 29683  
HARRINGTON & SMITH, LLP  
4 Research Drive  
Shelton, CT 06484-6212

Telephone: (203)925-9400  
Facsimile: (203)944-0245  
email: hsmith@hspatent.com

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX

S.N.: 10/699,386

Art Unit: 2611

1450, Alexandria, VA 22313-1450.

11/2/2006

Date

Elaine F. Mian

Name of Person Making Deposit